

REMARKS

Claims 1 to 3 and 9 to 12 are pending. Claim 10 is currently amended. Reconsideration of the application is requested.

§ 112 Rejections

Claim 10 is rejected under 35 USC § 112, first paragraph, as failing to comply with the written description requirement.

The Examiner has rejected claim 10, stating that claim 10 contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the applicants had possession of the claimed invention.

While not necessarily agreeing with the Examiner's assessment that the subject matter of Claim 10 is not described in the specification, Applicants have amended Claim 10 to facilitate prosecution. Claim 10 has been amended to match the description on page 7 lines 16-21 which states: "The part 22 consisting of an opaque region having a plurality of discrete transparent regions includes the transparent regions 25 which can be seen transparently with an eye. A ratio of the area of the transparent regions to that of the opaque region is so designed that it increases with leaving from the part 21 consisting of an opaque part."

In summary, Applicants submit that the rejection of claim 10 under 35 USC § 112, first paragraph, has been overcome, and that the rejection should be withdrawn.

§ 102 Rejections or § 103 Rejections

Claims 1-3 and 9-12 are rejected under 35 USC § 102(b) as being anticipated by or in the alternative, under 35 USC § 103(a) as being obvious over JP 2002-002192 (Kentaro) "Kentaro".

The Examiner has stated that Kentaro teaches a decorative film (equated to Applicant's shading decorative sheet) which comprises a base layer having a design pattern formed on at least one surface of the base layer wherein the design pattern comprises a plurality of design elements in which at least 50% of the regions have a gradation in one or more directions (0004, page 5).

Kentaro on page 5 [0004] states that "the film has a design pattern comprising a plurality of design elements in which at least 50% of the regions have a certain gradation in one or more directions, wherein at least one of the stimulus values L^* , a^* , b^* for chromaticity obtained at each

measurement point continuously increases or decreases when the chromaticity is measured at three or more points for gradation” (emphasis added). When this section is read as a whole it clearly shows that the gradation pattern of Kentaro is continuous. There is no teaching of a discontinuous gradation pattern which comprises an opaque region, an opaque region having a plurality of discrete transparent regions adjacent to the opaque region, a transparent region having a plurality of discrete opaque regions adjacent to the opaque region having a plurality of discrete transparent regions, and a transparent region adjacent to the transparent region having a plurality of discrete opaque regions. Measurement of chromaticity at various points along the surface of a gradation pattern of the present claimed invention would not show a continuous increase or decrease because the pattern contains discrete regions and is not a pattern that continuously increases or decreases in color as taught by Kentaro. This is shown graphically in the graph on the right side of Figure 2 of the present application where line shows the discontinuity of the change of the percentage of opaque regions as one progresses across the surface of the sheet. Nor is there any suggestion, motivation or teaching in Kentaro to modify the continuous gradation pattern to form a pattern with discrete regions as in the presently claimed invention. In fact such a pattern would be contrary to the features described above from Kentaro paragraph [0004], so Kentaro actually teaches away from the gradation pattern of the presently claimed invention.

The rejection of claims 1-3 and 9-12 under 35 USC § 102(b) or 35 USC § 103(a) over JP 2002-002192 (Kentaro) “Kentaro” has been overcome and should be withdrawn.

In view of the above, it is submitted that the application is in condition for allowance. Examination and reconsideration of the application as amended is requested.

Respectfully submitted,

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